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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,000	10/18/2005	Hermann Weber Pirner	4883/PCT	5355
21553	7590	06/22/2006	EXAMINER	
FASSE PATENT ATTORNEYS, P.A.			CHUNG TRANS, XUONG MY	
P.O. BOX 726			ART UNIT	PAPER NUMBER
HAMPDEN, ME 04444-0726			2833	

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/540,000	Applicant(s) PIRNER ET AL.	
	Examiner Xuong M. Chung-Trans	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>June 17, 2005</u> | 6) <input type="checkbox"/> Other: _____ |

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1. this application has been examined. Claims 3-12 have been canceled and new claims 13-22 have been added. Therefore, claims 1-2 and 13-22 are pending in this application.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "sensors and a closed loop" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-2 and 13-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Further, as per claim 18, it is unclear how the actors and sensors forming a closed loop in the mechanical module. As per claim 19, the term "the closed loop" is unclear as to whether it indicates the same as "a closed loop" in claim 18 and how the closed loop is arranged in the circuit arrangement of the control module.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2 and 13-22, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al. (USPN 5,941,282).

As per claim 1, Suzuki discloses an electromechanical sub-assembly with a control module (50) equipped with first contacts (not shown), a mechanical module (40) equipped with second contacts (CT), a support module (30) for fixing the control

module (50) and the mechanical module (40), wherein the support module (3) comprises first terminals (33) for electrically contacting the first contacts (51), second terminals (33) for electrically contacting the second contacts (CT) and at least one connection device (33) for contacting the electromechanical sub-assembly (1).

As per claim 2, Suzuki discloses that the support module (30) contains an electrically non-conducting material.

As per claim 13, Suzuki discloses that the support module (3) contains pressed screens (not shown) for electrical connection of the at least one connection device (33), the first terminals (not shown) and the second terminals (CT).

As per claim 14, Suzuki discloses that the electromechanical sub-assembly (1) containing the control module (50), the mechanical module (40) and the support module (30) comprises an approximate cuboidal structural form equipped with corner regions.

As per claim 15, Suzuki discloses that in the corner regions of the electromechanical sub-assembly at least four recesses are placed, wherein two recesses are embodied as a screwing hole (41) for connecting the control module (50), the mechanical module (40) and the support module (30) and wherein at least two other recesses are embodied as a fixing hole (41) for fixing the electromechanical sub-assembly.

As per claim 16, Suzuki discloses that the control module (50) contains a thermal conductive, metalliferous material, and that a circuit arrangement (IC) comprising the first contacts (not shown) is mounted onto this material.

As per claim 17, Suzuki discloses that the control module (50) comprises a lid 70 for covering the electromechanical sub-assembly.

As per claim 18, Suzuki discloses that in the mechanical module (40) a plurality of actors 10 and sensors forming a closed loop is provided.

As per claim 19, Suzuki discloses that the closed loop is arranged in the circuit arrangement (IC) of the control module (50).

As per claim 20, Suzuki discloses that the control module (50), the mechanical module (40) and the support module (30) in their assembled state form a housing which is waterproof towards the periphery (see col. 4, lines 47-49).

As per claim 21, Suzuki discloses that at least one of the connection devices (33) forms an external terminal (33) of the electromechanical sub-assembly.

As per claim 22, Suzuki discloses that the terminals (33) and contacts (CT) each form a terminal block (33) or a contact block (CT), respectively .

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuong M. Chung-Trans whose telephone number is (571) 272-2002. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 extension 33.. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Xuong Chung-Trans
Patent Examiner
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